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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,908	09/01/2000	Sam Khavari	P3938	6546
24739	7590	10/13/2005	EXAMINER	
CENTRAL COAST PATENT AGENCY PO BOX 187 AROMAS, CA 95004			BLACKWELL, JAMES H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/653,908	KHAVARI ET AL.
	Examiner James H. Blackwell	Art Unit 2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 July 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 22-33 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 22-33 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 01 September 2000 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. This Office Action is in response to Response D filed 07/28/2005. The oldest priority date of the original application is **12/08/1998**.
2. Claims 22-33 remain pending in the amendment. Claims 22, and 28 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 22-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al. (hereinafter Anupam, "Automating Web Navigation with the WebVCR", preprint submitted to Elsevier Preprint, 03/01/2000) in view of Manohar et al. (hereinafter Manohar, U.S. Patent No. 6,572,662, filed 05/15/1998).

**In regard to independent Claim 22 (and similarly independent Claim 28),**

Anupam teaches the WebVCR system (*a session recording mechanism*) that lets users record and replay a series of browsing steps in smart bookmarks (Abstract).

Anupam also teaches *recording user web navigation and interaction* activity in that by clicking the record button, (1) the applet records the current URL as the starting location of the smart bookmark; and (2) the applet inserts event handlers on all elements in the MainWindow that the user might operate on. From then on, as the user navigates via link traversals (*navigation activity*) or form submissions (*interaction*

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activity), each action triggers an event handler that causes the applet to record the corresponding action (p. 6, bottom paragraph).

Anupam also teaches that during playback, WebVCR applet uses the steps recorded in the smart bookmark to inform the browser which action to take in order to retrieve the next page. For example, for link traversals, the corresponding URL is loaded into the browser; for form submissions, the values input by the user (and recorded in the smart bookmark) are used to fill the form before submitting it (P. 7, 2<sup>nd</sup> paragraph). Hence, Anupam teaches that during the recording process *data collection associated with a manual navigation and interaction sequence* takes place in that form values filled in during the recording session (in which a manual browsing session is taking place) are saved so that when the smart bookmark containing the filled in data is replayed, those values are inserted into their appropriate locations in the form.

Anupam also teaches that the recording process also records the URLs of links traversed during the recording session so that when replayed the same sequence of navigation steps will take place as if it were being done manually (p. 7).

Anupam does not explicitly teach that the recording mechanism for recording user Web navigation and interaction activity required for data collection associated with a manual navigation and interaction sequence *comprising plurality of web sites*. However, Manohar teaches, in the Example depicted in Figure 3, an illustration of a tour (310) that spans three web sites (320, 330, 340) over which a tour is specified (Col. 8, lines 13-23). Hence, the tour consists of content from multiple different web sites. It would have been obvious to one of ordinary skill in the art at the time of invention to

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combine the teachings of Anupam and Manohar as both inventions relate to web touring. The addition of the prior art of Manohar adds the feature of involving the use of multiple different web sites in the construction of a web tour.

Anupam continues by teaching that WebVCR records data that is filled into forms so that when replayed, the smart bookmarks can supply the information for the form as if the user was filling in the form manually (p. 6, bottom of page). In addition, Anupam strongly suggests that WebVCR's recording feature can act as a *log-in mechanism for storing user-entered log-in information for individual ones of the plurality of sites visited in the manual sequence* since a smart bookmark can be created (through recording) to login to a specific site (implying that whatever is required to do so, e.g. username and/or password is also recorded) (p. 7, 2<sup>nd</sup> paragraph from bottom; Example 1.1, p. 2; Fig. 1; Fig. 7).

Anupam also teaches that the result of a recording session with WebVCR is a smart bookmark, which is a file that contains all the specified steps that are needed in order to reproduce the navigation and interaction sequence that was previously recorded (Fig. 7; p. 7 3<sup>rd</sup> paragraph from bottom). A *file creation module for converting operations recorded in the manual sequence into an executable sequence of instructions for conducting an automated sequence* is implied here to create and store the navigation and interaction sequence. During replay, the WebVCR reproduces the navigation and interaction sequence contained in the smart bookmark file (compare with Claim 22 (and similarly Claim 28); *wherein the system follows the manual sequence, creates the automated sequence, and performs the automated sequence at least once*

*after creation, including logging in to individual ones of the sites on behalf of the user, and storing and aggregating data collected in the automated sequence").*

**In regard to dependent Claim 23 (and similarly dependent Claim 29),**

Anupam does not explicitly teach that *the file-creation module includes a function for creating an executable icon for launching the automated sequence*. However, Anupam does teach that a user has the option of saving the smart bookmark to a file that also contains a reference to the WebVCR applet (p. 7, bottom paragraph). This file can then be treated as a normal bookmark that when selected (e.g., clicked on with a mouse) executes the applet and the automated sequence. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the smart bookmark of Anupam provides the functional equivalent of an executable icon allowing the user to one-click their way to the site and execute the steps previously recorded.

**In regard to dependent Claim 24 (and similarly dependent Claim 30),**

Anupam fails to explicitly teach that *the executable sequence of instructions are XML instructions*. However, Anupam does create a file (Fig. 7) that is structured in nature, using HTML-like tags as well as other non-HTML standard tags. It would have therefore been obvious to one of ordinary skill in the art at the time of invention that the smart bookmark file of Anupam would have been easily altered to make it XML compliant providing the benefit of a widely used and standard file format to record a sequence of instructions executable on the web.

**In regard to dependent Claim 25 (and similarly dependent Claim 31),**

Anupam teaches *form-population and hyper-linking* (p. 7, 2<sup>nd</sup> paragraph from bottom).

In regard to dependent Claim 26 (and similarly dependent Claim 32), Anupam teaches that the WebVCR can be implemented as a Java Applet that is configurable in that it can be configured to record and playback web navigation and interaction sequences (Figs. 4-5).

**In regard to dependent Claim 27 (and similarly dependent Claims 33),** Anupam does not specifically teach that *the automated sequence is created as a result of manual user programming instead of recording a manual sequence*. However, since Anupam produces a file containing the navigation and interaction sequence (Fig. 7) (smart bookmark), and suggests that one can at least indirectly modify the sequence (pp. 15-16 discussing heuristics to apply in order to resolve certain problems with the automation and allowing the user to define their own rules). It would have been obvious for one of ordinary skill in the art at the time of invention to simply edit the file providing the benefit of fine-tuning the sequence of events to assure proper execution.

***Response to Arguments***

5. Applicant's arguments, see Response D, filed 07/28/2005, with respect to the rejection(s) of claim(s) 22, and 28 under Anupam have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Manohar et al.

Respectfully, the Applicant essentially argues that the prior art of record fails to teach the limitation found in independent Claims 22, and 28, a *session recording mechanism for recording user Web navigation and interaction activity required for data collection associated with a manual navigation and interaction sequence comprising plurality of web sites* (emphasis added) as required in exemplary Claim 22. The Examiner agrees and withdraws the rejection. However, when combined with the prior art of Manohar et al., the prior art of Anupam now allows for the inclusion of material from multiple, different web sites.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell  
10/06/05

*William S. Bashore*

WILLIAM BASHORE  
PRIMARY EXAMINER

10/14/2005